

America. Why haven't we debated it for over 2 years? Because the insurance companies do not want this issue to come to the floor of the Senate. They do not want to face the votes which we would call for on the floor of the Senate.

The Patients' Bill of Rights that the Democrats support is a bill which gives to those who are providing health care fair treatment. Right now if something happens that is wrong in medical treatment, who gets sued? The doctors and the hospitals. But what if the insurance company made the wrong decision? Under the law, they are protected. The current law protects them. They can't be held accountable. Is that fair? Is that American? I don't believe it is. We are each held accountable for our actions, as every business is held accountable. There is no reason why health insurance companies should be exempt from that responsibility.

Here is what faces us: Will we, in the closing weeks before we break for the Fourth of July or our August recess, have the political courage to bring this issue to the floor? We spent 5 days debating giving protection to computer companies against being sued for Y2K problems, 5 days. We were worried about computer companies. Well, maybe we should be. But can't we spend 5 hours on this debate to stand up for families across America who want protection when it comes to the health care that means so much?

Look at these photographs. Imagine what life is like battling every single day with the insurance company and then praying to God, as you go to sleep at night, that this beautiful little baby will be alive in the morning. That is the reality of health care in America.

I challenge the Republican leadership, challenge them to bring to the floor of the Senate within the next week the Patients' Bill of Rights. Let us have this debate. Let us face the tough votes. That is what we are here for, for goodness' sake. This is supposed to be a deliberative body where we debate and argue and come to the best conclusion for the people we represent.

I will stand behind the Democratic Patients' Bill of Rights, because I believe it is the best one. I believe it is the only one that is honest and complete and will help American families. The Republican plan, as this chart indicates, would leave over 100 million Americans behind, would not give them the protections which we believe are essential to health insurance.

It is true they protect 48 million Americans, just as we do, but they leave behind 113 million who are protected by the Democratic bill.

I think it is time to have this debate, for the good of families across America, for the Pavletichs in Addison, IL, for the Cortez family from Elk Grove Village, for the Eberhardts, who have

written to me and told me their story, from Yorkville, IL.

I promise you this: As long as my voice holds out, I will be on my feet on the Senate floor saying to my colleagues, we have a responsibility. The 105th Congress left town a little over 6 months ago and did nothing. It was a do-nothing Congress. This Congress is not going to leave town without addressing this critical issue, this issue that means so much to Americans across this country and people who continue to write on a daily basis.

I will close by saying this: Keep the letters and photographs coming in. As long as you will send me your stories of your family struggling to provide quality health care, I will continue to stand on this floor and tell these stories, in the hopes that my colleagues in the Senate will address this important issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent to be able to continue as in morning business for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PATIENTS' BILL OF RIGHTS

Mr. LEAHY. Mr. President, I wish to commend the distinguished senior Senator from Illinois for his statement. The Senator from Illinois represents one of the greatest States of our country, a significant and very large State, with millions of people, ranging from one of the best known, most dynamic cities not only in this country but in the world, and also with very small rural areas. I, in turn, represent a very small State, where the largest city is 40,000 people. We go down to a town of 40 people. But I couldn't help but think, while listening to the statement of my good friend from Illinois, about some of the letters he read. The names of the towns might be different, but we might have heard similar letters from Vermont. Sometimes the problems are compounded by the fact that we are a rural State. As he knows, in the rural areas of his great State the problems are even worse because of the distances they have to travel and the lack of choices they may have. I hope he will continue to speak because he speaks not just for the people of Illinois, but for the people of Vermont and everywhere else.

THE POWERFUL GUN LOBBY

Mr. LEAHY. Mr. President, while we talk about the actions in the other body, it is fascinating to me what has happened in the dark of night. The members of the other body aren't controlling their destiny; it apparently was controlled by a powerful lobby in

this country. For a while, the same thing happened in the U.S. Senate. I asked the question on the floor of the Senate: "Who will run the Senate, the U.S. Senators or the powerful gun lobby?" Finally, by the slimmest of margins, they answered the question and said that the U.S. Senate will represent the people of America.

I have watched how posturing and symbolism sometimes wins out over substance. Members of the other body are all sworn to uphold the Constitution of the United States. They have taken the same oath that I and every Member of the Senate have taken. They flew in the face of the Constitution, a Supreme Court decision outlined in the Constitution, and said that we, the Members of the Congress, will say the 10 commandments shall be or may be put on schoolhouse walls.

Why did the House of Representatives do this and turn against the Constitution that they are sworn to uphold? Why? So that the students seeing it would be inspired to uphold the law. That's fascinating. We say that the other body will—the House of Representatives—will turn its back on the Constitution, and in so doing will encourage children who should look to them for leadership to uphold the laws of this country. It is an example that I cannot fathom. This is what they ought to do—work harder and make it possible for the parents of these children to spend more time with them, make it possible to have an educational system that can help teach the difference between right and wrong. Perhaps, if they are going to talk about the 10 commandments, they should remind the gun lobby of the fifth commandment: Thou shalt not kill.

PENDING NOMINATION OF BILL LANN LEE

Mr. LEAHY. Mr. President, on Wednesday of this week, I was fortunate to be present during the ceremony commemorating the presentation of the Congressional Gold Medal to Mrs. Rosa Parks. What an inspiring time. I heard Mrs. Parks, Reverend Jackson, and the President each take the occasion to remind us that the struggle for equality is not over.

I heard Jesse Norman, with that incomparable voice, sing to us both our National Anthem and really the anthem of the civil rights movement. Every one of us—black or white, old or young, man or woman, Republican or Democrat, were inspired by what we saw and heard. How could you not be inspired in the magnificent rotunda of the U.S. Capitol?

But then I went back to my office and I started asking myself, have we listened? I serve as the ranking Member of the Senate Judiciary Committee, and the committee still has

pending before it, waiting, the nomination of another who has dedicated his life's work to the rights of others. I asked the Judiciary Committee on Thursday, in the spirit of the Congressional Gold Medal to Rosa Parks, and in the tradition of Rosa Parks, that the committee recognize the quiet dignity and strength of Bill Lann Lee and send his nomination to the full Senate so that the U.S. Senate may, at long last, vote on that nomination and, I hope, confirm this fine American to full rank as the Assistant Attorney General for Civil Rights.

Bill Lann Lee is the first Asian American to be nominated to head the Civil Rights Division in its 42-year history. He is currently serving as Acting Assistant Attorney General for Civil Rights, as he has for almost 18 months. He has done an impressive job in enforcing our Nation's civil rights laws. Mr. Lee was originally nominated in July of 1997, almost exactly 2 years ago. Two years is too long to have to wait for a vote by the Senate on this nomination. I hope the Senate will be allowed the opportunity to vote on his nomination before the Fourth of July recess.

Six former Assistant Attorneys General for Civil Rights, from the Eisenhower administration through the Bush administration, wrote the Judiciary Committee in November of 1997 in support of this outstanding nominee: Harold Tyler, Burke Marshall, Stephen J. Pollak, J. Stanley Pottinger, Drew Days, and John R. Dunne. Nonetheless, the Senate did not vote, and Mr. Lee had to be renominated again in January of 1998 and, again, in March of 1999.

It is past time to do the right thing, the honorable thing, and report this qualified nominee to the Senate so the Senate may fulfill its constitutional duty under the advise and consent clause and vote on this nomination. In deference to the advise and consent power of the Senate, the President has not used his recess appointment power in connection with this nomination.

After consultation with the Senate in late 1997, the President chose to re-nominate Mr. Lee in January 1998. The Attorney General named him Acting Assistant Attorney General. When the Senate refused all last year to consider the nomination—not to vote him up or down, or not to even vote at all—the President sent that nomination to the Senate for a third time in a third succeeding year, in 1999. Now, no one can fairly contend that the Senate has not been respected. The President has gone the extra mile, and Mr. Lee has shown extraordinary patience during this extended period of Senate indifference to his nomination.

Acting Assistant Attorney General Lee is properly serving while his nomi-

nation remains pending. It is the responsibility of the Senate to vote on that nomination. I believe that in a fair and open vote on the merits of this nomination on the Senate floor, the Senate will embrace the opportunity to confirm this fine person, this dedicated public servant. They will confirm him.

If I am wrong, if the Senate were to disappoint me and all those who support this nomination, and if a majority of the Senate were to vote against the nomination, and then he could not continue to serve as Acting Assistant Attorney General—that is a mechanism Congress established by law, but it properly relies on a vote by the U.S. Senate.

Civil rights is about human dignity and opportunity. Bill Lann Lee's nomination ought to have the opportunity for an up-or-down vote on the Senate floor. Twenty-three months and 3 sessions of Congress is too long for this nomination to have to wait. He should no longer be forced to ride in the "back of the nominations bus," but be given the fair vote he deserves.

When Bill Lee appeared before our committee way back in 1997, he testified candidly about his views, his work and his values. He told us why he became a person who has dedicated his life to equal justice for all, specially when he talked about the treatment his parents received as immigrants. He told us how his parents faced prejudice almost every day here in this country. But Mr. Lee told us how, in spite of his father's personal treatment, the experience of prejudice he faced, the names he was called, and the slurs he had to hear, his father, William Lee, remained a fierce American patriot and volunteered to serve in the U.S. Army Air Corps in World War II.

He never lost his belief in America. His father, William Lee, inspired his son, Bill, just as Bill Lann Lee now inspires his own children and countless others across the land.

This is what he told us:

My father is my hero, but I confess that I found it difficult for many years to appreciate his unflinching patriotism in the face of daily indignities. In my youth, I did not understand how he could remain so deeply grateful to a country where he and my mother faced so much intolerance. But I began to appreciate that the vision he had of being an American was a vision so compelling that he could set aside the momentary ugliness. He knew that the basic American tenet of equality of opportunity is the bedrock of our society.

I know that Bill Lann Lee has remained true to all that his father taught him and I hope that the "momentary ugliness" of people opposing his nomination based on an ideological litmus test, and of people distorting his achievements and beliefs, and of some

succumbing to narrow partisanship, will not be his reward for a career of good works. Such treatment drives good people from public service and distorts the role of the Senate.

Bill Lee's skills, his experience, the compelling personal journey that he and his family have traveled, his commitment to full opportunity for all Americans—these qualities appeal to the best in us. Let us affirm the best in us. Let us confirm—or at least allow the Senate to vote on the confirmation—of this good man. We need Bill Lee's proven problem-solving abilities in these difficult times.

If the Senate is allowed to decide, I believe Bill Lann Lee will be confirmed and will move this country forward to a time when discrimination will subside and affirmative action is no longer needed; a time when each child—girl or boy, black or white, rich or poor, urban or rural, regardless of national or ethnic origin and regardless of sexual orientation or disability—shall have a fair and equal opportunity to live the American dream.

I have often referred to the Senate as acting at its best when it serves as the conscience of the Nation. In my 25 years I have seen it do that. Again I speak to the conscience of this body. I call on the Judiciary Committee of the Senate to bring this nomination to the floor. Let the Senate have an up-or-down vote on Bill Lann Lee without obstruction, without further delays, so the Senate may vote.

If we do, I am convinced that a majority of this body will confirm a fine person to lead the Civil Rights Division into the next century. Racial discrimination and harmful discrimination in all its forms remains one of the most vexing, unsolved problems in all of our society. In a country so blessed as ours, so rich, so powerful, so wonderful, we still have this cancer of discrimination that shows up randomly throughout our society. Let's not perpetuate it here in the Senate. Let the Senate move forward from the ceremony commemorating the Congressional Gold Medal for Rosa Parks by doing what is right, by voting on the nomination of Bill Lann Lee.

I yield the floor.

ADJOURNMENT UNTIL MONDAY,
JUNE 21, 1999

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 12 noon, Monday, June 21, 1999.

Thereupon, the Senate, at 12:54 p.m., adjourned until Monday, June 21, 1999, at 12 noon.